

DEP 3 REF  
Room 307

Docket No.: HUBR 1162/10020935  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Johannes REINMULLER

Application No.: 09/600,347

Filed: July 14, 2000

For: DEVICE AND METHOD FOR  
COSMETICALLY TREATING CELLULITE

Confirmation No.: 2655

Art Unit: 3764

Examiner: V. K. Hwang

**REQUEST FOR REFUND**

Attention: Refund Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to C.F.R. § 1.28(a), based on the later establishment of small entity status, applicant requests a refund of one-half of the Notice of Appeal and Three-Month Request for Extension of Time paid as a large entity on August 17, 2004 in this application. The Notice of Appeal (\$330.00) and Three-Month Request for Extension of Time (\$950.00) were paid in full in the form of a check. Refund is requested in the same manner in the amount of \$640.00. This request is within three months of the timely payment, in full, of the Notice of Appeal and Request for Extension of Time fees and as such is timely under C.F.R. § 1.28(a).

Pursuant to C.F.R. § 1.27(c) applicant's undersigned attorney of record asserts that applicant is a small entity and is entitled to small entity status.

.Dated: October 13, 2004

Respectfully submitted,

By Mary Anne Schofield  
Mary Anne Schofield  
Registration No.: 36,669  
FULBRIGHT & JAWORSKI L.L.P.  
801 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2623  
(202) 662-0200  
(202) 662-4643 (Fax)

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PTO/SB/22 (08-03)

Approved for use through 7/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		<b>Docket Number (Optional)</b> HUBR 1162/10020935
In re Application of Johannes REINMULLER		
Application Number 09/600,347-Conf. #2655		Filed July 14, 2000
For <b>DEVICE AND METHOD FOR COSMETICALLY TREATING CELLULITE</b>		
Art Unit	3764	Examiner V. K. Hwang

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 950.00
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ \_\_\_\_\_

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 08-2375

I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ attorney or agent of record. Registration Number \_\_\_\_\_

☒ attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) 36,669

August 17, 2004  
Date

(202) 662-4584  
Telephone Number

Mary Anne Schofield  
Signature

Mary Anne Schofield  
Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below

☐ Total of 1 forms are submitted.

Adjustment date: 11/26/2004 SDIRETA1  
08/18/2004 ANABI1 00000021 09600347  
02 FC:1253 -950.00 DP

11/26/2004 SDIRETA1 00000005 09600347  
02 FC:2253 475.00 DP

Repln. Ref: 11/26/2004 SDIRETA1 0011121100  
DAH:062375 Name/Number:09600347  
FC: 9204 \$640.00 CR

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08/18/2004 ANABI1 00000021 09600347


950.00 DP

02 FC:1253



TFW  
AR

PTO/SB/31 (08-03)  
Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		<b>Docket Number (Optional)</b> HUBR 1162/10020935	
In re Application of Johannes REINMULLER			
Application Number 09/600,347-Conf. #2655		Filed July 14, 2000	
For <b>DEVICE AND METHOD FOR COSMETICALLY TREATING CELLULITE</b>			
Art Unit 3764		Examiner V. K. Hwang	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 1.17(b))		\$ 330.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$	
<input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-2375. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
I am the			
<input type="checkbox"/> applicant /inventor.		 Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)			
<input type="checkbox"/> attorney or agent of record. Registration number		Mary Anne Schofield Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). 36,669		(202) 662-4584 Telephone number	
		August 17, 2004 Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> *Total of 1 forms are submitted.			

Adjustment date: 11/26/2004 SDIRETA1  
08/18/2004 ANAB11 00000021 09600347  
01 FC:1401 -330.00 DP

11/26/2004 SDIRETA1 00000005 09600347  
01 FC:2401 165.00 DP

08/18/2004 ANAB11 00000021 09600347  
01 FC:1401 330.00 DP

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